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TO: Housing Task Force Members
FROM: Michael Stamp
DATE: June 17, 1981

Enclosed is the final report of the Task Force. These several months have been productive and certainly interesting. I urge each of you to continue your efforts in improving the quality of life in Oakland.

The report will be on the June 23, 1981 City Council agenda. That meeting is one of the Council's periodic community meetings and will be held at Eastmont Mall. It is possible that close consideration of the report will be delayed until the following week so the Council can devote its time to district concerns, but that is uncertain at this time.

Thank you again for your time and efforts, and I hope to have the opportunity to continue working with each of you.

Michael Stamp
Michael Stamp

Enclosure

✓ 9/21/85

86 00023

HOUSING IN OAKLAND

June 1981

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The Report of the Housing Task Force

to the

Mayor and City Council of the City of Oakland

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June, 1981

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Members of the Housing Task Force

June, 1981

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REPORT OF THE HOUSING TASK FORCE

I. INTRODUCTION

Mayor Lionel Wilson appointed the Housing Task Force in October, 1981, and the Task Force first met on November 7, 1980. Since that date, the Task Force has met some twenty times and has sought to bring into this report the skill, experience and concerns of the Oakland community.

Many of the factors affecting the housing market are beyond the ability of City government to significantly affect. Chief among these is the spiraling interest rate affecting developer's costs, home loans, and rehabilitation costs. Also of importance is the increasing unavailability of government subsidies on the local, state, and federal levels.

Other factors are within the City's range of influence. These are discussed within this report; all of them involve a firm commitment of the City Council and the City staff to encourage new housing and preserve the existing housing quality. This report does not discuss two areas which affect housing, but which are beyond the Task Force's assigned duties: condominium conversion and rent control. These two areas clearly involve policy matters which have an effect upon housing, but which have been studied by other committees.

II. THE HOUSING PROBLEM

There is general agreement among members of the Task Force, housing professionals, and other government agencies (e.g., the City and County of San Francisco, the Association of Bay Area Governments and the Governor's Task Force on Housing Affordability) that a housing shortage exists in the Bay Area and especially in Oakland. Coupled with the shortage is a soaring cost in the price of homeownership and rental housing.

The Bay Area Council describes the problem in this fashion:

"The Bay Area is experiencing critical housing problems--an inadequate supply of housing, and rapidly rising home prices and rents. These problems not only have serious social effects, they also threaten the region's economic vitality and quality of life.

Bay Area business firms are already feeling some direct impacts of these problems. For one thing, many are having difficulties recruiting or transferring personnel, because employees can't find affordable housing within a reasonable commuting distance of employment centers. But business leaders are even more concerned that our tight housing market is an obstacle to expansion of firms in the region, and will result in slower economic expansion and job growth.

The Bay Area now has the most expensive housing in the nation, with no end to the price spiral in sight. Prices of single-family homes are 76 percent higher than the national median. A large number of Bay Area families, particularly first-time homebuyers, have been priced out of the market. In the first quarter of 1980, only 20 percent of existing homes and 10 percent of new homes were affordable to the median-income Bay Area household. For renters, the price situation is nearly as bad. While rents haven't skyrocketed as rapidly as home prices, they've still been increasing twice as fast as tenant incomes . . . The high cost and short supply of housing hurt Bay Area families in almost all income brackets, in a variety of ways. Many households must allocate a very large portion of their budgets for housing, cutting back on luxuries or even necessities. Those who do buy a home must often increase their indebtedness to the limit, while others are forced to forego home ownership. But low- and moderate-income families are hit the hardest because they can't afford to compete for shelter with higher-income families and are displaced when the affluent move into older neighborhoods. For minorities, families with children, the handicapped and the elderly--who may be considered 'less desirable' than other tenants--it becomes more difficult to find shelter at any price."

From the beginning of its work, the Task Force has been hampered by the unavailability of accurate information on existing housing and housing demand. The most comprehensive and accurate information presumably will be the 1980 Federal Census data; the statistical breakdown of that report, however, will not be available before September 1981. The Task Force supports, and urges immediate implementation of, the recommendation of the Mayor's Blue Ribbon Committee (December 1979) that a centralized, current, and accessible collection of accurate housing data be established within the City government.

From information provided to the Task Force, it appears that the City suffers from a critical shortage of rental housing. The vacancy rate is given at 1.3% - 5%, depending upon the method of study used. In any event, based upon what data is available, the Task Force has concluded that a severe affordable housing shortage exists in Oakland.

The Task Force also recognizes that, as steps are taken to alleviate the housing shortage problem, the City must be fully aware of the potential displacement problems likely to occur. Curing the housing ills, then, must be accomplished with a concern and commitment to affirmative action and equal opportunity at all levels, and must be tied to the City's economic development plans. The Task Force believes that Oakland can accept significant numbers of new housing units, subsidized as well as market rate, while maintaining and improving the quality of life in the City's neighborhoods. Further, the Task Force is convinced that a lack of new housing units is a serious problem in Oakland.

III. POLICY RECOMMENDATIONS

The central recommendation of the Task Force is that the City Council declare that there is a housing crisis in Oakland and that the City is committed to providing new housing and protecting and improving its existing housing. Unless that message is communicated to developers, investors, City staff, City boards and commissions, and others, the Task Force believes that the City will not be able to attract the necessary developments and housing starts regardless of whatever other steps are taken.

Tied into this central recommendation must be a procedure whereby City residents, community groups, and potential builders can meet, exchange ideas, and, in effect, "pre-clear" projects when possible so as to minimize the uncertainty, time and cost involved in getting governmental approval of housing.

IV. HOUSING GOALS

In order to increase the City's housing supply to provide for the needs of Oakland's current residents and to support the economic growth necessary to achieve full employment, the Task Force recommends that the City Council adopt a specific housing goal of 1,000 net new units for each of the next five years. This goal would be further distributed as follows:

| | |
|------------------------|-------|
| Market rate units | = 500 |
| Assisted family units | = 300 |
| Assisted elderly units | = 200 |

These goals represent substantial increases over previous years' achievements, but are reasonable projections against which to measure the City's housing efforts. (See Appendix A.) The Task Force recognizes that such factors as the interest rate, the availability of mortgage money, the rate of inflation, and state and federal subsidies will affect whether the City can achieve these goals, but the Task Force believes that by establishing these quantified goals, the City is in a better position to evaluate its housing activities.

These goals are not intended to be actual housing projections or evaluations for purposes of state legislation (AB 2853) and have been established completely independently of, and for different reasons than, the process contemplated by that legislation. The goals articulated by the Task Force are not substitutes for, or in any way binding upon, those assessments which will be made under AB 2853.

V. SPECIFIC RECOMMENDATIONS FOR CITY COUNCIL ACTION

The Task Force recommends that the City Council take the following steps at the earliest possible opportunity:

I. Policy Statement and Education

The City Council should have a strong policy statement encouraging the construction of new housing and the protection of existing housing quality. The policy statement should be communicated to the City staff, local and state government agencies, developers, lenders, builders, and the press. Oakland should declare its unequivocal desire to increase its housing and to encourage responsible development.

2. Displacement Policy

City staff should be directed to prepare a comprehensive plan dealing with displacement designed to ensure that Oakland's residents are given every opportunity to benefit from increased housing opportunities. Such plan shall be completed within six months and delivered to the Mayor and City Council. Of special concern should be the relationship of the housing plan to economic development policies and the City's strong commitment to affirmative action. Displacement is a critical issue to the Task Force and this displacement plan should be given the highest priority. It is essential that Oakland residents displaced by projects be fully compensated and able to remain in Oakland. The mechanisms for achieving this (relocation plans, zoning, incentives, etc.) should be fully explored by City staff.

3. Housing Goal

The yearly housing goal discussed above should be approved. Staff should be directed to provide Council with quarterly progress reports.

4. Pre-clearance Program

Uncertainty and unnecessary delay in receiving final governmental approval were cited repeatedly to the Task Force as strong deterrents to building housing in Oakland. The Task Force recommends that a pre-clearance program be developed so that:

- a. potential development areas can be identified; and
- b. developers can meet with community groups at the earliest possible stage so that potential projects can be evaluated, discussed, and modified when necessary, avoiding opposition at the earliest possible stage.

By adopting such a program, developers may receive clearances at a much earlier stage than is now the case (saving time and money), the developer and the community can review plans before a large financial and time commitment has been made, and developers will be assured that once they meet and overcome community objections to a project, they stand a reasonably strong likelihood of securing City approval.

The Task Force recommends that this program function in the following way:

- a. Potential developers will meet with City staff and the areas' housing representatives. It is the areas' housing representatives' responsibility to solicit and evaluate community input about the proposed project. Housing representatives will be selected by a uniform process approved by the City Council. In areas which are CD districts, the District Board shall, after consulting the Mayor and City Council, select the District's housing representatives. The City will publicize the selections extensively throughout the areas;
- b. if the housing representatives and the developer agree about a proposed project, the Planning Commission and City Council shall give strong deference to that agreement;
- c. if the housing representatives oppose the proposed project and no agreement can be reached, the Planning Commission and/or City Council shall evaluate the project by exercising their fully independent judgment.

Any alternative procedure which allows for an early, relatively certain neighborhood pre-clearance would also receive the Task Force's recommendation. The vehicle for the procedure is not the important concern; the ability to save time and money, while ensuring community input, is the critical concern.

As an additional step, City staff should be directed to review all permit procedures to streamline the City's processes. Specific consideration should be given to implementing modern computer services to assist in this task. An example of a similar effort is the City's "one-stop" business services. This effort is important not only in saving time, but in educating the public to the City's commitment to housing.

5. Vacant Land

The City should identify all vacant land and evaluate it in terms of suitability for housing. This includes government-owned land (such as that held by the Port, the State, the school districts, and the federal government) and under-utilized land such as some parking lots. No such list of vacant land is now available, but would be of value to potential builders. The cost of compiling the list can be met by user fees. To stay useful, the list should be updated regularly.

The City should work actively to purchase land for housing needs, including site assemblage projects. This includes land presently owned by other public agencies.

This land can be used as an incentive to increase minority participation in housing development. The City may encourage the use of community development funds, State of California programs, and bond issues whenever possible.

6. Encouraging Housing in Certain Areas

The Task Force recommends that the following areas be considered particularly suitable for increased housing and that steps be taken to encourage housing generally in these areas:

a. Downtown Area

Increased housing, particularly when combined with other uses, should be encouraged throughout the downtown area. The City should be prepared to be flexible with zoning, densities, and other incentives to encourage mixed residential use. The advantages of increased housing in the downtown area are already well recognized and suitable land is available.

b. City Center Project

The redevelopment plans should be evaluated to include mixed residential/ office/ commercial uses if at all feasible. The City Center Project is particularly ripe for this concept, although the other projects also may be able to accommodate housing uses. This housing use may require revisions of the redevelopment plans, but at this time the City should indicate to the Economic Development Corporation (EDCO) and to investors generally that housing uses in the redevelopment districts may be permissible and certainly should be encouraged.

c. Lake Merritt Area

The area immediately surrounding the lake already has a relatively high density, but can accommodate increased use without seriously decreasing the quality of life.

d. BART Stations

The matter of increased housing in the vicinity of BART stations is particularly important. These stations, after all, are more than just conveniences for local neighborhoods; they represent our City's access points to a publicly-funded, multi-billion dollar transportation system. As such, the Task Force believes that many stations can support higher surrounding densities than they now do. The Task Force recognizes the neighborhood concerns regarding increased density around certain stations, and urges City Council to direct the Planning Staff to meet with local groups and BARTD to work out acceptable long-term programs for increased housing opportunities.

BARTD has indicated at least a preliminary interest in developing the land near its stations. City staff should meet with BARTD staff to determine which areas may be amenable to development of housing, most likely in a mixed-use situation. BARTD should be discouraged from selling surplus Oakland property, or should be asked to impose a moratorium on such sales until the potential for housing can be evaluated. A more detailed discussion of this topic is attached as Appendix B to this report.

The City should actively explore a joint venture with BARTD and private investors to develop housing at and near BARTD stations in Oakland.

e. Arterials

Major arterials with commercial zoning (East 14th Street, MacArthur Boulevard, San Pablo Avenue, et al.) may be suitable for high density housing developments, at least within limited zones. The Planning Commission and City staff should evaluate whether the City, through street and sidewalk work, neighborhood beautification, transportation routing, site assemblage, etc., can encourage and promote housing (including mixed commercial/industrial use) along the arterial streets. Developers should be alerted to the advantages of this type of development and to the City's support for such projects.

f. Hills

There are certain hills areas (as well as other areas throughout the City) which can accommodate increased housing opportunities. The incentives of AB 1151 (see number 9, page 13 of this report) should be actively encouraged. The City should assist low- and moderate-income development through such incentives and through joint ventures whenever possible.

g. Port Areas

The City, working with the Port, should make a thorough review of Port-controlled property and a housing plan for the area should be developed within the next six months.

7. Downzonings and Upzonings

It should be initially noted that much of Oakland's higher-density zoning is grossly underused. This applies to commercial areas as well as residential or mixed-use ones. Development of housing in these areas should be strongly encouraged and in many of those areas high density can be accomplished at significantly lower costs than elsewhere (the infrastructure is already in place, no zoning changes are necessary, permit time is shortened, etc.)

As for high density zoning, the Task Force recommends that the Council request staff and/or the Planning Commission to make recommendations of areas which should be rezoned to high-density zones. Some suggested upzonings are shown in Appendix C to this report.

Rezoning of commercial areas which should be similarly studied are shown in Appendix D.

As for medium- and lower-density zoning, the R-50 zone is mapped rather too extensively in Oakland; it includes areas that have been developed and are presently existing as single-family residence neighborhoods. (For example, the main section of R-50 zoning covers half of residential East Oakland, stretching almost unbroken from near Park Boulevard to beyond Seminary Avenue with extensions to about 82nd and 98th Avenues.) A change to R-30 may be fitting for certain sections which are now built up entirely, or nearly so, with single-family houses--

much of Brookfield Village, for example. A zoning change to R-40 or R-35 may be appropriate for other areas where an admixture of houses, duplexes and apartments is desirable. Finally, in some of the presently R-30 portions of the hills and foothills, steep slopes and other conditions like fire hazard or poor access make even R-30 density excessive. Rezoning to R-20 or even R-10 may be needed in such cases--for example, the Elverton Drive area near Sibley Park and the undeveloped area between Sheffield Village and Lake Chabot Municipal Golf Course.

The City must be more cautious and selective in downzoning than it has been in recent years, although the Task Force recognizes that a few areas presently zoned for high density are inappropriate for that type of development. Although there is some disagreement among members of the Task Force as to the precise boundaries of the area to be downzoned, the Task Force agrees that a portion of the Rose Garden area merits early consideration for downzoning.

8. Suggested Zoning Ordinance Text Changes

Many of the Task Force's proposals for regulatory improvements do not require rezoning as such. They involve, instead, the textual provisions that apply within the various zones--or even the provisions of codes other than zoning. These recommendations follow (with supporting rationale in parenthesis):

- a. Remove the limitation on stories from the height restrictions. (The limitation is unnecessary and unreasonably precludes, for instance, a 4-story building in a 45-foot height zone.)
- b. Consider allowing, if a use permit is granted, a density bonus for housing developments in R-50 or other zones which remove a blighting nonconforming use. (Uses such as truck storage yards and factories exist in various neighborhoods, so this kind of incentive would clearly benefit the local area as well as encouraging new housing.)
- c. Consider allowing in some zones, with a use permit, a higher density for attractive conversions of existing dwellings than for new construction. (This device would be useful in areas consisting of architecturally interesting homes that are too large for today's needs--and would create new housing opportunities while preserving the area's vital character.)

- d. Consider amendments to the Building and Housing Codes that would facilitate conversions of older structures. (Some provisions of these codes may be unduly restrictive and out of date.) A review of those codes should be made by staff with an idea towards encouraging new housing and rehabilitation.
- e. Permit high-density housing outright in the C-25 and C-36 zones. (Housing there presently requires a conditional use permit, which is pointless in these particular zones.)
- f. Improve the design standards in high-density zones in general, giving attention to such problems as unsightly front yard parking and tall buildings alongside lot lines that block light from adjoining homes. (Improvements of standards like these, which have been under study by the Mayor's Committee to Study Improved Standards for High Density Housing would make high-density zoning and development acceptable in more places.)
- g. Consider expanding the depth of high-density zoning along major arterial streets to the lesser of 300 feet or 1/2 the depth of the block where appropriate. (The existing depth can be unduly restrictive, works against imaginative design solutions, and is unnecessary.)
- h. Revise the off-street parking requirements to permit 50% compact spaces in lieu of the 33% now permitted, and review the regulation every five years. (This is simple recognition of what is happening to the size of automobiles and will result in better land utilization.)
- i. Consider permitting a land assembly containing split zoning to utilize the highest zone for calculating allowable density, if adjacent zones can be protected from problems of bulk and scale.
- j. Reduce the "minimum size" for planned unit developments in many zones perhaps to 30,000 square feet or one acre in R-35 and higher zones and 60,000 square feet for R-30 sections below the Warren Freeway. (The present minimums of, respectively, 60,000 square feet and four acres practically rule out use of this valuable incentive procedure in the closely built-up areas of the flatlands and foothills.)

- k. Consider creating a new residential zone--"R-65" or "R-75"--that would allow high density but contain special project review requirements and special controls on matters such as building scale and height. (Such a zone could replace some existing R-70 zoning and might be used in some additional areas where no present high-density zone would now be acceptable.)
- l. Consider creating a new residential/commercial zone that would allow commercial use only if combined with new housing. (Such a zone could be wrapped along some "thin" portions of commercial strips like Foothill and MacArthur, and would continue to provide for reasonable commercial investment there while also providing a positive incentive for housing.)
- m. Liberalize lot size restrictions and other rules which prohibit and discourage extra units ("mother-in-law", etc.) especially on irregularly-shaped but fairly large lots; such as those in excess of 4,000 feet but less than the current minimum lot size.
- n. Consider establishing some kind of "mini-planned unit development" use permit procedures that would allow even smaller cluster development--and perhaps even the stacking of one home over another--in R-30. (Such developments and multi-unit structures are not now provided for.)
- o. Mobile and manufactured home restrictions should be in conformance with all recent state legislation (i.e., Government Code Section 65852.3, Health and Safety Code Section 18300 (SB 1960).
- p. Allow multi-unit construction within planned unit developments in the R-20 zone. (Much of the hills is now in R-20 and probably more should be in the future, but planned unit developments there now are unfortunately limited to one-family dwellings.)
- q. Consider allowing conversion of garages and ground floor storage areas to specially-designed apartments for the handicapped. This may require changes in building code provisions, but is an alternative which should be studied.

9. General Incentives for Low- and Moderate-Income Housing

Finally, the Task Force urges the City to define and implement its responsibilities under recently-enacted AB 1151 (California Government Code Sections 65915-69518). Those provisions may mean that if the developer of a project agrees to build at least a quarter of the units for persons and families of low- or moderate-income, then the City must either grant a density bonus of at least 25% or provide at least two other kinds of incentives. The latter could include exemption from other local controls, or nonregulatory incentives such as using public funds to reduce property costs. The choice of incentives is left to the sole discretion of the local government. However, the City of Oakland should clearly state which ones it offers to developers.

10. Education and Encouragement Efforts

The City must build a housing constituency and commit itself to keep housing and jobs in balance.

The City must educate developers, investors, the real estate industry, the general public, and City staff as to the City's housing goals. Staff must be prepared to work with all segments of the housing industry to promote responsible housing in Oakland. Such creative efforts as the 10-1/2% mortgage program should be encouraged and the word must be sent to all of the Bay Area that Oakland is willing to work creatively and energetically to bring new housing to Oakland. The City's desire for affordable housing must be unequivocally explained and promoted, and the substance of the City's actions must match its stated goals.

VI. CONCLUSION

The Task Force recommends that this report be adopted by the City Council as a first step in implementing a comprehensive housing policy for the 1980s. The precise form of implementing the recommendations of this report is not significant. What are important are recognition that housing is a central concern for Oakland and commitment to meeting the housing challenge. With that recognition and that commitment, developers, staff, and the community will understand that this City's policy is to encourage responsible housing.

Dated: June 23, 1981

APPENDIX A

Report of the Needs and Goals Committee

The Housing Task Force's Committee on Needs and Goals met between November 1980 and January 1981, and its report was adopted by the full Task Force in May 1981. That report is summarized here.

What is the total need for new housing units in Oakland?

1. ABAG's "Projections 79" predicts that Oakland's net increase in housing units will be 31,000 (22%) between 1975 and year 2000 as follows:

| | | |
|-----------|------|--------------------|
| 1975-1980 | 400 | net new units/year |
| 1980-1985 | 700 | net new units/year |
| 1985-1990 | 1600 | net new units/year |
| 1990-1995 | 1700 | net new units/year |
| 1995-2000 | 1800 | net new units/year |

This 22% increase in Oakland's housing supply compares to ABAG's predicted 47% increase in housing for the greater Bay area.

2. The City reports the following removal of housing units through demolition, alteration or removal:

| | | |
|------------------|-------------|--------------------|
| 1966 | 295 | units lost |
| 1977 | 261 | units lost |
| 1978 | 296 | units lost |
| 1979 | 211 | units lost |
| 1980 (11 months) | 105 | units lost |
| | <u>1168</u> | = 238/year average |

3. CIAF's unpublished study on Urban Infill shows the following net (after demolition, et cetera) increase in Oakland's housing units:

| | | |
|------|-------------|---------------------|
| 1975 | 151 | units gained |
| 1976 | 53 | units gained |
| 1977 | 293 | units gained |
| 1978 | 409 | units gained |
| 1979 | 837 | units gained |
| | <u>1743</u> | = 348/year average: |

4. City figures differ from CIAF as follows:

| | | |
|------|-----|-------------------------|
| 1976 | 58 | net units <u>lost</u> |
| 1977 | 321 | net units <u>gained</u> |
| 1978 | 391 | net units gained |
| 1979 | 508 | net units gained |

The Committee reviewed the available statistics. Oakland's past performance and future needs, particularly with regard to the City's program for increased business and employment opportunities, have led it to recommend an Affirmative Housing Goal of 1,000 net new housing units per year for each year.

How many of the proposed new housing units should be "assisted", and how many market rate?

1. According to OCD's Housing Manager:
 - a. Oakland has 8-9% of the total Bay Area population and housing units.
 - b. Oakland has about 14% of the Bay Area population eligible for assisted housing.
 - c. Oakland has about 16% of the Bay Area's assisted housing units.
2. OCD reports that since 1975 the City has completed 470 assisted elderly housing units (94/year average). In August of 1980, an additional 902 assisted elderly units were under construction.
3. OCD reports that from 1976-1980, 1418 single-family and 1468 multiple-family units were authorized. Of the 1468 multiple units, 968 (66%) were assisted (207/year average).

4. Current waiting lists for assisted housing (Oakland Housing Authority) show a demand far in excess of supply (demand exceeds supply by probably close to 5000 units).

Of the total 1000 net new housing units, the Committee recommended the following distribution:

| | |
|------------------------|-------------------|
| Assisted Family Units | 300 /year |
| Assisted Elderly Units | 200 /year |
| Market Rate Units | 500 /year |
| | <u>1000 /year</u> |

The Committee recognized the uncertainties concerning future Federal and State funding of assisted housing programs. Furthermore, the Committee commended the City on its past success in aggressively capturing at least its share of available funding and assumes this level of effort will continue.

What about Rental versus Sale Housing in the private sector?

1. Because land, construction, and financing costs have risen faster than rents, traditional apartment rental development is currently not considered economically feasible.
2. The threat, or actuality, of rent regulations and condominium conversion restrictions further work against new rental developments.

While hoping for new rental projects, the Committee recognized that, by definition, the market should determine the form of market-rate developments.

The Committee noted that even with new condominium development or conversion, some percentage of the units will be purchased for investment and become available for rental.

Committee suggested that if City could guarantee conversion rights of apartments to condominiums after seven to ten years, the tax shelter possibilities of new apartment construction might be attractive to some developers . . . in effect, a silent federal subsidy. This should be further studied and considered.

The Committee suggested that City staff continue to monitor the recommendations of other local and State agencies who are also studying this question and then bring innovative suggestions to the attention of City Council.

APPENDIX B

Bay Area Rapid Transit District Properties

In 1962 the voters of San Francisco, Alameda and Contra Costa Counties passed the Bay Area Rapid Transit bond issue to construct the three-county transit system. One of the selling points at that time dealt with the high density development contiguous to BART stations, including residential and office/commercial. This land use pattern reflects the traditional experience of other American cities such as New York, Boston, Chicago and Cleveland where subway stations normally attract high density development which then avails itself of the transportation service.

Unfortunately, during BART's operations, relatively little development has taken place in the proximity of BART stations in the East Bay--even among the eight stations situated in the city of Oakland. Exceptions exist at some stations in San Francisco and at the two downtown Oakland stations, largely because of government subsidies and/or private investments in potentially profitable locations.

Oakland enjoys a particularly advantageous location as the crossroads of all BART lines. It is the confluence of branches from Richmond, Concord, and Fremont funneling through the Bay tube to San Francisco. But the six outlying Oakland stations have experienced little, if any, new real estate development within the sphere of each station. This results in part from restrictive zoning by the city itself and also from lack of interest on the part of private investors who are discouraged by neighborhood resistance. The most notable instance of this pattern occurred in the mid-70s when development proposals for the Rockridge station area were rejected in the wake of political opposition.

The transit district, meanwhile, has re-evaluated its position in terms of land use management and recently passed a resolution which provides for a more aggressive policy to increase densities and encourage private development in and around BART stations. This new policy provides for lease of excess BART properties and lease of air rights above BART stations and parking lots wherever medium or high rise development is feasible.

This kind of development would benefit BART in two ways--by increasing BART rider patronage and also real estate income from the lease of properties. The one major problem BART faces in effectuating this policy would be the political follow-through with the Oakland City Council or any other governmental agency that might be involved.

The new BART policy could benefit Oakland more than any other locality, particularly as it would provide physical space and financial inducement for construction of multi-dwelling units for sale or lease or rent. Even if the development were to go office/commercial, it would likely encourage construction of residential units nearby.

A visual inspection of the various BART stations in Oakland reveals the following:

OAKLAND WEST: This station has already evoked interest on the part of the BART board of Directors because of its obvious potential for multiple land use including residential. The environs around the station are somewhat in transition, with the quality of much of the property deteriorating. The central Oakland postal distribution center is situated within easy walking distance. The location of Oakland West is particularly good from the standpoint of proximity to the Nimitz Freeway, to downtown Oakland and to downtown San Francisco via BART. Multiple residential with relatively high density would seem to be desirable.

LAKE MERRITT: This station is already the location of BART headquarters building and another government structure is planned for the air rights over the BART parking lot to house the Metropolitan Transportation Commission, the Association of Bay Area Governments and additional BART offices. The future land uses of the perimeter properties may well be headed in the direction of office/institutional, but multiple density for residential would also blend with the existing development. The location is proximate to most of the amenities in the downtown Oakland/Lake Merritt area.

FRUITVALE: The present character of development around the Fruitvale station is low density commercial. It will probably continue as such, but there are parcels which would lend themselves to medium density residential in the immediate vicinity, particularly the two-block-wide corridor between the station and the Nimitz Freeway. Again, access to other forms of transportation is excellent.

COLISEUM: The present land use is heavily industrial/commercial with a number of construction-oriented supply yards located between the station and the Coliseum. Residential opportunities, however, would seem to be available northeast of the station and adjacent to the BART parking lot where single family dwellings now exist. The streets in this neighborhood are narrow and sub-standard but access both to San Leandro Boulevard and to the 73rd Avenue expressway is easy and could readily serve higher residential densities.

MAC ARTHUR: Existing land use around the station is a mix of commercial and residential including single-family. In general terms it appears to be under-utilized, particularly when one considers the proximity of both the MacArthur and Grove-Shafter Freeways. BART property could lend itself to development of air rights as a first step. This area does not appear to have the same degree of well-defined neighborhood cohesion as Rockridge.

ROCKRIDGE: While the potential of the neighborhood around Rockridge Station may prove attractive to developers, for the most part the neighborhood is on record as opposed to higher densities. Political acceptance of new development might be difficult to come by. The commercial flavor of the neighborhood, however, is definitely positive and vital and does not seem to require external stimulation.

The two downtown stations may also have value in housing, particularly in the mixed-use settings described elsewhere in this report.

It is clear from the Rockridge experience and similar pockets of neighborhood resistance to higher density development, that the City and BART would be well advised to work together in any major developmental effort around BART stations. It might be appropriate to form ad hoc neighborhood advisory councils which could serve a liaison function between development proponents and the local residents so that there is a free flow of information. The potential benefits to both the City and BART justify a special effort in this regard.

APPENDIX C

Upzoning Areas

The Task Force recommends that the City consider upzoning these residentially-zoned areas to some high-density zone (R-60, R-70, etc. as appropriate):

1. Sections of Dimond Avenue, Canon Avenue, MacArthur Boulevard, and Adell, Damuth, Coloma, Palmetto and Montana Streets--in a pattern generally surrounding the Dimond shopping district and extending up to the lower end of Dimond Park;
2. The Camden Street areas near Evergreen Cemetery;
3. The area along Brann Street, west of Eastmont Mall;
4. 74th Avenue immediately southeast of Eastmont Mall;
5. Part of Seminary Avenue facing Mills College, above MacArthur Boulevard;
6. Land along 96th or 98th Avenue between MacArthur and Bancroft;
7. Property adjoining the Montclair shopping district along Lucas and Merced and along Mountain Boulevard from Merced east toward Park Boulevard;
8. The area adjoining the northwest side of San Antonio Park along East 18th and East 19th Streets and 19th Avenue;
9. The area west of Grove along 39th and 40th Streets (near MacArthur BART Station).

Some other areas might be upzoned to such zones as R-40 or R-50. Some possibilities include:

1. The areas around Carleton Street and Manila Avenue along the westerly side of Claremont Country Club;
2. Parts of Thermal Street, Lawlor, Burr, and Stearns Avenue (between MacArthur Boulevard and Knowland Park);
3. The Masterson Street/Greenacre Road area between High Street and Mills College.

APPENDIX D

Other Changed Zoning

In addition, various areas which are now commercially or industrially zoned but little used for that purpose might be rezoned to some high-density residential zone:

1. Sections of MacArthur Boulevard generally near Rhoda Avenue, Laurel Avenue, Parker Avenue, Alvingroom Court, 94th Avenue, and 98th Avenue;
2. Sections of Foothill Boulevard near 27th Avenue, 51st Avenue, and 55th Avenue
3. The residentially developed area along East 12th from 37th Avenue to 41st (adjoining Fruitvale BART Station);
4. 14th Avenue near East 18th Street;
5. East 14th Street near 9th Avenue;
6. Sections of Telegraph Avenue near 32nd Street and 58th Street;
7. Part of Grove Street near MacArthur BART Station.

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CITY OF OAKLAND



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Marge Gibson

May 28, 1981

Mr. Michael Stamp, Chairman
Housing Task Force
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School of Law (Boalt Hall)
Berkeley, California 94720

Dear Mr. Stamp:

I am seriously concerned with the Housing Goals figure of 1,000 units and wish to register my concern about including that figure or any specific figure without a great deal more staff study.

The stipulation of 1,000 new units is not based upon any hard evidence and is not substantiated by the data shown in the report, including Appendix A. I recognize that the Task Force intends this figure to be a "goal" which the City should strive to reach--that it is not intended to be a precise estimate of the actual number of units necessary and desirable for the City to attain. Nevertheless, this concept may be hard to explain to another public body that is reaching for a number that they can use without having to expend much effort.

AB 2853 (Government Code sections 65302(c) and 65580 et seq.), now in effect, speaks to the quantification of housing goals, and appears to impose upon ABAG as a Council of Government the duty to establish housing goals and housing projections for cities such as Oakland. My concern is that ABAG will use the goal of 1,000 units set by the Task Force as a "floor." Thus, using this figure as a base, it may specify a higher and possibly unreachable goal for Oakland. The result would be that if Oakland failed to reach this goal, we could be penalized or otherwise deprived of some state-administered benefits as presently occurs if cities fail to perform State mandated obligations. It is my belief that regardless of the cautionary language used by the Task Force in adopting the 1,000-unit goal, that its adoption by the Council could be detrimental to the City of Oakland in light of AB 2853, and is therefore unwise.

For these reasons, I hereby request that my objections be included within the Task Force Report.

Very truly yours,

MARGE GIBSON
Councilmember

MG/eg

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June 8, 1981

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Dear Mike:

Congratulations on pulling a report together that addresses so many urgent concerns about housing in Oakland. Although we all realize it is not as comprehensive a report as could have been done with more time, money and professional staff support, it is nonetheless an admirable finish to a Herculean task.

However, there are a few concerns which the report addresses but does not elaborate upon that could use further explanation. In particular, for example, is the concern about areas in Oakland that are inappropriate for high density development although they are presently zoned for it. The report lists a number of quite specific areas that are suggested for upzoning, for rezoning to high and medium density residential from commercial, and also for downzoning from medium density to low density, but leaves out all but one specific suggestion (the Rose Garden neighborhood) for downzoning from high density to medium or low. If the City Council is interested in a comprehensive report as a guide and aid to planning for meeting Oakland's housing needs, it should have the opportunity to consider an entire range of specific suggestions for downzoning as well as upzoning.

Using the policies on density and dwelling types already accepted by the City Council as part of the comprehensive plan for the City of Oakland as a guide, the following other areas not mentioned in the Task Force Report should be considered for downzoning from high density to medium (R-60, R-50) or low-density (R-40, R-35) since for varying reasons they also do not meet the criteria for high density development:

1. Upper Perkins Street area from Palm to Orange, including a short portion of Adams Street (a distinct section of interesting and well maintained, small-scale homes forming an "oasis" in the middle of the already overbuilt Adams Point area, with a relatively long walk to shopping, parks, buses, and a short distance of curb parking).
2. Richmond Boulevard (Glen Echo Creek area) from Warren to 30th Street (a unique setting of park, creek and trees, with many architecturally interesting and historic structures, needing at the very least improved design controls).

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3. Moss-Fairmount-Monte Vista area including Yosemite, Rio Vista and Montell (an area with existing character of moderately scaled structures, many of them architecturally interesting, narrow streets, parts of Glen Echo Creek).
4. Edison School area including Frisbie, a portion of Fairmount and Kempton Way (distinct section of mainly small scale, well-maintained houses, many architecturally interesting, relatively isolated location, curb parking problems).
5. Mosswood West, including 37th and 36th Streets near Telegraph (existing medium scale structures, some architecturally interesting, significant stock of moderate cost housing in reasonable condition).
6. Harrison-Oakland corridor below MacArthur Freeway (existing character of moderate-scale structures, some architecturally interesting, some with historic value, a good amount of moderate cost housing in reasonable condition, including family housing, relatively heavy, noisy traffic).
7. Oak Center-Ralph Bunche area, bounded roughly by 10th, Brush, Grand and Poplar (existing character of mixed scale houses, many architecturally interesting and many with historic value, a good amount of moderate cost housing, some very well maintained, including family housing).
8. Area below San Antonio Park from 15th Avenue along Marin Way to Munson (existing character of mainly moderate-scale structures, many of them architecturally interesting, significant moderate cost housing in reasonable condition).
9. West side of High Street near Carrington to Agua Vista (existing character of small homes in good condition, fairly moderate cost, with relatively heavy, noisy traffic).
10. School Street from Boston to Bartlett (existing housing of mostly small or moderate scale, some moderate cost housing in good condition, relatively long walk to major shopping).
11. Area around 47th and Bancroft (existing low-medium to medium density character, significant moderate-cost housing in fair to reasonable condition, lack of recreation facilities).
12. Lower-central Seminary Avenue (existing medium or moderate density character, moderate cost housing in reasonable condition, with some interesting older buildings).
13. Grove-Shafter corridor from Merrimac along rear of Telegraph to 34th Street (some interesting older buildings, some moderate cost housing in fair condition, relatively heavy, noisy traffic especially from freeways).

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As for the Rose Garden neighborhood area, although a portion of it was mentioned in the Task Force report as meriting early consideration for downzoning, no specific reasons or areas were given. Here are some for consideration: The portion of the area bounded by the rear lot lines of Santa Clara, Grand, Jean and Vernon has a character that is mainly small scale houses, many of them architecturally interesting, including a wide range of architectural styles, many with historic value, narrow (substandard), hilly streets, a shortage of curb parking, a large stock of sound housing with relatively high owner occupancy, and a relatively short but extremely inconvenient walk to shopping areas. The area bounded by the rear lot lines of Mariposa, Oakland and Moss is somewhat different, having a unique existing "checkerboard" character, dependent on balance between large scale and small scale with many interesting well maintained houses, providing a type of neighborhood unusual in Oakland for its mix. Both portions share the inconvenient walk to shopping and a serious deficiency in recreation facilities suitable for open-space activities such as baseball, volleyball, etc.

This is not meant to be an all-encompassing report, since one has already been prepared by City Planning staff explaining in more detail the policies and specifics which led to its recommendation for downzoning the whole area to R-35. Although the City Planning Commission decided that a portion originally included for by staff downzoning to R-35 should remain R-70, it has twice recommended that the rest (the portions outlined above) be downzoned to R-35.

These areas all are presently zoned R-70 or above and need some action to preserve their integrity and character from out-of-place, out-of-scale and intrusive development. Such action would also have the desirable effect of keeping available a large supply of affordable, moderate cost housing that would otherwise make way for inevitably higher cost new construction.

For these reasons, and for the reasons cited above, the City Council should have the opportunity to consider these areas for downzoning as well as the areas mentioned in the Task Force report for upzoning. I urge you to do what you can to bring these to their attention.

Thanks again for your dedication and skillful chairing of this Task Force.

Very truly yours,

Marlene Wilson
Marlene Wilson

MSW:kg



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